IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 5077 of 2006(D)

PETITIONER:

SANKARA NARAYANAN, S/O.KANDAPPAN NAIR,
AGED 65 YRS., SUDHI SOAPS, KARALMANNA,
CHERPULASSERRY,PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:
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1. THE STATE BANK OF INDIA, OTTAPPALAM BRANCH,OTTAPPALAM, PALAKKAD, REPRESENTED BY ITS BRANCH MANAGER, OTTAPPALAM, PALAKKAD DISTRICT.

2. M/S. RAMACHANDRAN AND RAMACHANDRAN ASSOCIATES, SURYAKIRAN, COLLEGE ROAD, PALAKKAD.

3. THE SUB DIVISIONAL MAGISTRATE, OTTAPPALAM, PALAKKAD DISTRICT.

BY ADV. SRI.K.K.CHANDRAN PILLAI -- R1
SRI.R.V.SATHYAPRIYAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 5077/2006 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE COMMUNICATION DT. 13/09/2000 BY THE R1.

EXT.P2. COPY OF THE DISCHRGE SUMMARY DT. 15/3/2003 RELATING TO THE PETITIONER ISSUED FROM SRI. RAMAKRISHNA HOSPITAL COIMBATORE.

EXT.P3. COPY OF THE NOTICE DT. 25/6/2005 BY THE CHIEF MANAGER OF THE R1.

EXT.P4. COPY OF THE ORDER DT. 15/12/2005 OF THE R3.

EXT.P5. COPY OF THE JUDGMENT DT. 20/1/06 IN WPC NO. 36580/2005.

EXT.P6. COPY OF THE CIRCULAR DT. 3/09/05 BY RBI.

EXT.P7. COPY OF THE APPLICATION DT. 2/2/06 BY THE PETITIONER BEFORE THE R1.

EXT.P8. COPY OF THE COMMUNICATION DT. 7/2/2006.

EXT.P9. COPY OF THE ORDER DT. JULY, 10, 2006 OF THE BAKING OMBUDSMAN.

EXT.P10. COPY OF THE REMINDER DT. 21/08/2006.

EXT.P11. COPY OF THE ORDER DT. 28/08/06.

EXT.P12. COPY OF THE ORDER DT. 07/09/06 BY THE PETITIONER.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE LETTER FROM THE OMBUDSMAN DT. 16/5/05.

EXT.R1B. COPY OF THE PETITION SUBMITTED BY THE PETITIONER DT. 2/2/06 BEFORE THE BANK.

EXT.R1C. COPY OF THE REPRESENTATION BY THE PETITIONER DT. 14/1/2006 BEFORE THE BANK.

EXT.R1D. COPY OF THE LETTER DT. 27/1/2006 TO THE PETITIONER BY THE BANK.

EXT.R1E. COPY OF THE REPLY SENT BY THE BANK TO THE PETITIONER DT. 28/08/2006.

True copy

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KURIAN JOSEPH J.

W.P.(C) No. 5077 of 2006

Dated 4th July, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the coercive steps taken by the first respondent for recovery of the amounts due to the Bank. Learned counsel appearing for the Bank submits that during the pendency of the writ petition, the petitioner has cleared major portion of the liability. There will be a direction to the Bank to furnish a statement of accounts to the petitioner showing the balance and the adjustment of the amounts already remitted, within one month from today. In case the petitioner has any dispute with regard to the adjustment, it will be open to him to point out the same to the Bank within another one month, in which case, the matter will be duly considered by the Bank, permitting the petitioner to verify the accounts. Within one month thereafter, the petitioner will clear the outstanding arrears. In order to enable the petitioner to work out the remedies as above, coercive steps shall be deferred for a period of four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.